

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

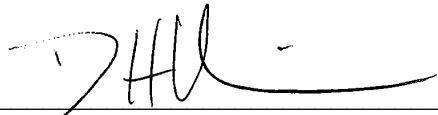
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PATRICK J. CALLAHAN, JR.,	:	
	:	
Plaintiff,	:	No. 10 Civ. 4599 (BSJ)
	:	
v.	:	
	:	NOTICE OF MOTION
CREDIT SUISSE (USA), INC., CREDIT SUISSE	:	
GROUP SA, CREDIT SUISSE SECURITIES	:	
(USA) LLC, and CREDIT SUISSE FIRST	:	
BOSTON CORPORATION,	:	
	:	
Defendants.	:	
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PLEASE TAKE NOTICE, that upon the accompanying memorandum of law; the Declaration of Jaunelle Chapman, and exhibits annexed thereto; the Declaration of David K. Reid, and exhibits annexed thereto; and all prior pleadings and papers filed in this action, Defendants Credit Suisse (USA), Inc., and Credit Suisse Securities (USA) LLC (also improperly impleaded as “Credit Suisse First Boston Corporation”), will move this Court at United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007, on such date and time as the Court sets, to dismiss in part the above-referenced action pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Dated: October 28, 2010
New York, New York

Respectfully submitted,

THOMPSON WIGDOR LLP

By: 

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(USA), INC., and CREDIT SUISSE SECURITIES
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